



REQUEST FOR ORDINANCE TO VACATE PUBLIC RIGHT-OF-WAY

TO: Katie Ehlers, City Attorney's Office

FROM: Glen Blackburn, PE, Director, Right-of-Way Services

PROJECT NO.: 2025-VACA-0000003

DATE: October 1, 2025

SUBJECT: Request for an Ordinance to vacate a portion of South Delaware Street between Interstate 25 and West Kentucky Avenue, with reservations.

Signed by:

DF13EBC85E48471...

It is requested that the above subject item be placed on the next available Mayor Council Agenda.

This office has investigated the request of Matrix Design Group, dated May 13, 2025, on behalf of BSP West, LLC and Broadway Station Metropolitan District No. 1 for the subject right-of-way vacation.

This matter has been coordinated with Asset Management; CPD Building Department; CenturyLink/Lumen; Colorado Department of Transportation; City Council District 7; City Forester; Comcast; CPD DS Project Coordinator; DOTI ROWS DES Transportation & Wastewater; Office of Disability Rights; Denver Water; Denver Fire Department; Historic Preservation/Landmark; Metro Water Recovery; Office of Emergency Management; CPD Development and Planning Services; Parks and Recreation; DOTI ROWS Construction Engineering; DOTI Policy and Planning; DOTI Street Maintenance; DOTI ROWS Survey; DOTI TES Sign and Stripe; DOTI CPM Wastewater Review; Regional Transportation District; DOTI Solid Waste; Xcel Energy, all of whom have indicated no objection.

As a result of these investigations, it has been determined that there is no objection to vacating the subject right-of-way area PROVIDED, HOWEVER, said right-of-way vacation shall be subject to the following reservations:

A perpetual, non-exclusive easement is hereby reserved by the City and County of Denver, its successors and assigns, over, under, across, along, and through the vacated area for the purposes of constructing, operating, maintaining, repairing, upgrading and replacing public or private utilities including, without limitation, storm drainage, sanitary sewer, and water facilities and all appurtenances to said utilities. A hard surface shall be maintained by the property owner over the entire Easement Area. The City reserves the right to authorize the use of the reserved easement by all utility providers with existing facilities in the easement area. No trees, fences, retaining walls, landscaping or structures shall be allowed over, upon or under the Easement Area. Any such obstruction may be removed by the City or the utility provider at the property owner's expense. The property owner shall not re-grade or alter the ground cover in the easement area without permission from the City and County of Denver. The property owner shall be liable for all damages to such utilities, including their repair and replacement, at the property owner's sole expense. The City and County of Denver, its successors, assigns, licensees, permittees and other authorized users shall not be liable for any damage to property owner's property due to use of this reserved easement.

Therefore, you are requested to initiate Council action to vacate the following right-of-way area:

INSERT PARCEL DESCRIPTION ROW 2025-VACA-0000003-001 HERE

City and County of Denver Department of Transportation & Infrastructure
Right-of-Way Services | Engineering & Regulatory
201 W Colfax Ave, Dept 507 | Denver, CO 80202
www.denvergov.org/rowplanreview
Phone: (720) 865-3003



GB: cb

cc: City Councilperson & Aides
City Council Staff – Luke Palmisano
Department of Law – Bradley Beck
Department of Law – Martin Plate
Department of Law – Katie Ehlers
Department of Law – Mar'quasa Maes
DOTI, Manager's Office – Alba Castro
DOTI, ROWS Deputy Director – Darion Mayhorn
DOTI, Ordinance
DOTI, Solid Waste – Ken Arguello
DOTI, Survey – Paul Rogalla
DOTI, Street Maintenance – Brian Roecker

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ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor’s Legislative Team
at MileHighOrdinance@DenverGov.org by 9 a.m. Friday. Contact the Mayor’s Legislative team with questions

Date of Request: 10/1/2025

Please mark one: ☒ Bill Request or ☐ Resolution Request

Please mark one: The request directly impacts developments, projects, contracts, resolutions, or bills that involve property and impact within .5 miles of the South Platte River from Denver's northern to southern boundary? (Check map [HERE](#))

☒ Yes ☐ No

1. Type of Request:

- ☐ Contract/Grant Agreement ☐ Intergovernmental Agreement (IGA) ☐ Rezoning/Text Amendment
- ☒ Dedication/Vacation ☐ Appropriation/Supplemental ☐ DRMC Change
- ☐ Other:

2. Title: (Start with *approves, amends, dedicates*, etc., include name of company or contractor and indicate the type of request: grant acceptance, contract execution, contract amendment, municipal code change, supplemental request, etc.)

Approves a request for an Ordinance to vacate a portion of South Delaware Street between Interstate 25 and West Kentucky Avenue, with reservations.

3. Requesting Agency:

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution (e.g., subject matter expert)	Contact person for council members or mayor-council
Name: Jessica Eusebio	Name: Alaina McWhorter
Email: Jessica.Eusebio@denvergov.org	Email: Alaina.mcwhorter@denvergov.org

5. General description or background of proposed request. Attach executive summary if more space needed: (who, what, why)

Request for an Ordinance to vacate a portion of South Delaware Street between Interstate 25 and West Kentucky Avenue, with reservations.

6. City Attorney assigned to this request (if applicable): Martin Plate

7. City Council District: Councilmember Alvidrez, District 7

8. ****For all contracts, fill out and submit accompanying Key Contract Terms worksheet****

To be completed by Mayor’s Legislative Team:

Resolution/Bill Number: _____ Date Entered: _____

Key Contract Terms

Type of Contract: (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property):

Vendor/Contractor Name (including any dba's):

Contract control number (legacy and new):

Location:

Is this a new contract? ☐ Yes ☐ No **Is this an Amendment?** ☐ Yes ☐ No **If yes, how many?** _____

Contract Term/Duration (for amended contracts, include existing term dates and amended dates):

Contract Amount (indicate existing amount, amended amount and new contract total):

<i>Current Contract Amount</i>	<i>Additional Funds</i>	<i>Total Contract Amount</i>
<i>(A)</i>	<i>(B)</i>	<i>(A+B)</i>

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>

Scope of work:

Was this contractor selected by competitive process?

If not, why not?

Has this contractor provided these services to the City before? ☐ Yes ☐ No

Source of funds:

Is this contract subject to: ☐ W/MBE ☐ DBE ☐ SBE ☐ XO101 ☐ ACDBE ☐ N/A

WBE/MBE/DBE commitments (construction, design, Airport concession contracts):

Who are the subcontractors to this contract?

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____



RIGHT-OF-WAY VACATION EXECUTIVE SUMMARY

Application Title: 2025-VACA-0000003 Broadway Station Soccer Stadium

Applicant's Name: BSP West, LLC and Broadway Station Metropolitan District No. 1

Description of Proposed Right-of-Way (ROW) Vacation: A portion of South Delaware Street, previously named South Cherokee Street, between Interstate 25 and West Kentucky Avenue.

Applicant's explanation of why the ROW is needed to accomplish their proposed project: The area is planned for redevelopment with a new soccer stadium in the proposed ROW vacation area.

Area of proposed ROW vacation in square feet (SF): Approximately 13,342 SF

Number of buildings adjacent to proposed ROW vacation area: None

Public Notice was posted at the proposed ROW vacation area on: August 12, 2025

Notification letters were sent to property owners and Registered Neighborhood Organizations (RNOs) within 200 feet of the proposed ROW vacation area on: August 12, 2025

The 20-day period for public comment expired on: September 1, 2025

Were public comments received and, if so, explain: None received.

Are all comments with technical merit resolved to the satisfaction of DOTI: N/A

Has land been dedicated to the city as a condition of the ROW vacation and, if so, explain: No land has been dedicated.

Will a utility easement be reserved over the vacated ROW area and, if so, explain: Yes, a utility easement must be reserved for existing utilities within the proposed ROW vacation area.

Is a request for an easement relinquishment expected later and, if so, explain: Yes, there are plans to relocate existing utilities to accommodate a future easement relinquishment.

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Additional Information: This portion of South Delaware Street was renamed from South Cherokee Street by Ordinance No. 729, Series of 2023. Further, this ROW vacation area is an atypical shape, but the vacation will not result in a dead-end or non-compliant ROW. The areas surrounding the proposed vacation area were not previously dedicated as public ROW and therefore do not require a vacation to meet developer goals.

Location Map:



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Matrix Design Group, Inc.
707 17th Street, Suite 3150
Denver, CO 80202
O 303.572.0200
F 303.572.0202
matrixdesigngroup.com

EXHIBIT "A"
LAND DESCRIPTION
SHEET 1 OF 3

A PARCEL OF LAND BEING A PORTION OF S. CHEROKEE ST. AS SHOWN ON THE PLAT OF VANDERBILT PARK AND SYLVESTER'S ADDITION TO VANDERBILT PARK IN THE RECORDS OF THE CITY AND COUNTY OF DENVER, SAID PARCEL BEING SITUATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE EAST LINE OF SAID SOUTHWEST QUARTER, MONUMENTED ON THE NORTH END BY A FOUND STONE WITH DIVOT IN A RANGE BOX AND ON THE SOUTH END BY A FOUND 3-1/4" ALUMINUM CAP ON A 3/4" REBAR IN A RANGE BOX, STAMPED "JF SATO & ASSOC., 1/4. S15/S22, T4N R68W, PLS 37056, 2017, ASSUMED TO BEAR NORTH 00°44'36" WEST A DISTANCE OF 2647.74 FEET;

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 15; THENCE NORTH 34°57'37" WEST, A DISTANCE OF 2,335.42 FEET TO THE SOUTHWEST CORNER OF TRACT DD, AS SHOWN ON BROADWAY STATION FILING NO. 4 OF SAID RECORDS, AND ALSO BEING THE NORTHEAST CORNER OF THAT PORTION OF VACATED S. CHEROKEE ST. DESCRIBED AS PARCEL "A" IN ORDINANCE 1423 SERIES OF 2021 RECORDED DECEMBER 20, 2021, AT RECEPTION NUMBER 2021231033 IN SAID RECORDS AND THE **POINT OF BEGINNING**;

THENCE COINCIDENT WITH THE NORTHERLY LINES OF SAID PARCEL "A" THE FOLLOWING TWO (2) COURSES:

1. SOUTH 80°32'52" WEST, A DISTANCE OF 14.38 FEET TO THE NORTHWEST CORNER OF TRACT E PER SAID BROADWAY STATION FILING NO. 4;
2. NORTH 09°27'08" WEST, A DISTANCE OF 86.72 FEET TO THE SOUTHEAST CORNER OF TRACT C PER SAID BROADWAY STATION FILING NO. 4,

THENCE, CONTINUING NORTH 09°27'08" WEST ALONG THE EAST LINE OF SAID TRACT C, A DISTANCE OF 2.22 FEET TO THE SOUTH CORNER OF TRACT EE AS SHOWN PER SAID BROADWAY STATION FILING NO. 4;

THENCE COINCIDENT WITH THE EAST LINES OF SAID TRACT EE, THE FOLLOWING THREE (3) COURSES:

1. NORTH 00°30'29" WEST, A DISTANCE OF 119.70 FEET;
2. SOUTH 89°57'42" WEST, A DISTANCE OF 1.91 FEET;
3. NORTH 00°33'00" WEST, A DISTANCE OF 297.99 FEET TO THE NORTHEAST CORNER OF SAID TRACT EE, LYING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF INTERSTATE 25, DESCRIBED AS UNIT 5 IN ORDINANCE 3, SERIES OF 1962 RECORDED FEBRUARY 1, 1962, IN SAID RECORDS;

THENCE NORTH 84°21'13" EAST, COINCIDENT WITH SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 29.21 FEET TO THE NORTHWEST CORNER OF TRACT CC, PER SAID BROADWAY STATION FILING NO. 4 AND THE EAST RIGHT-OF-WAY LINE OF S. CHEROKEE ST.;

EXHIBIT "A"
LAND DESCRIPTION
SHEET 2 OF 3

THENCE SOUTH 00°37'46" EAST, COINCIDENT WITH THE WEST LINE OF SAID TRACT CC AND SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 58.36 FEET TO THE SOUTHWEST CORNER OF SAID TRACT CC AND THE NORTHEAST CORNER OF THAT PORTION OF VACATED S. CHEROKEE ST. DESCRIBED AS PARCEL "B" IN ORDINANCE 1423 SERIES OF 2021 RECORDED DECEMBER 20, 2021, AT RECEPTION NUMBER 2021231033 IN SAID RECORDS;

THENCE COINCIDENT WITH THE NORTH AND WEST LINES OF LOT 1 , BLOCK 2, OF SAID BROADWAY STATION FILING NO. 4 AND SAID VACATED S. CHEROKEE ST. THE FOLLOWING THREE (3) COURSES:

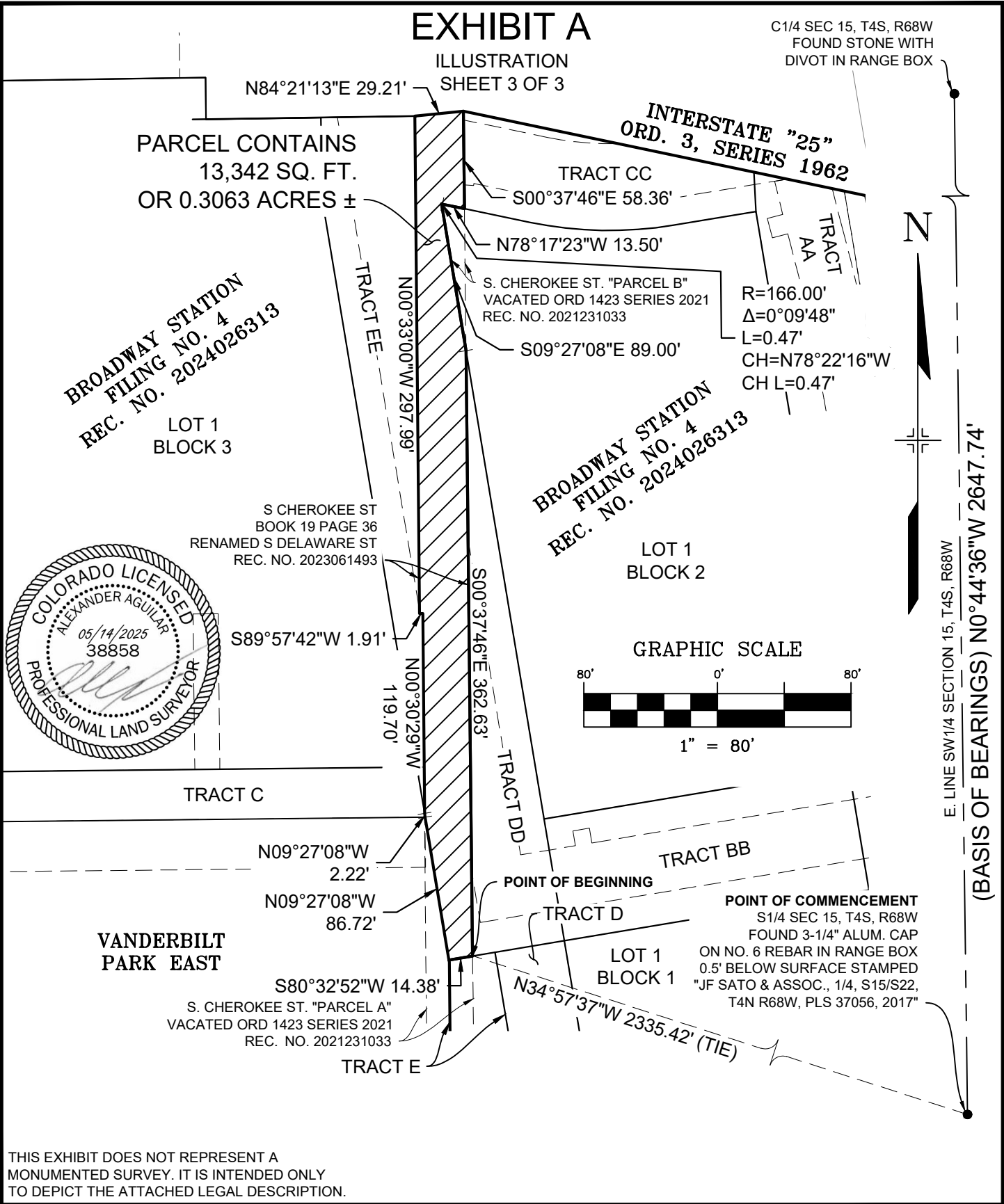
1. NORTH 78°17'23" WEST, A DISTANCE OF 13.50 FEET TO A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 166.00 FEET;
2. WESTERLY, COINCIDENT WITH SAID TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 00°09'48", AN ARC DISTANCE OF 0.47 FEET AND HAVING A CHORD THAT BEARS NORTH 78°22'16" WEST, A DISTANCE OF 0.47 FEET;
3. SOUTH 09°27'08" EAST, A DISTANCE OF 89.00 FEET TO THE NORTH CORNER OF SAID TRACT DD;

THENCE SOUTH 00°37'46" EAST, COINCIDENT WITH THE WEST LINE OF SAID TRACT DD AND SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 362.63 FEET TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIPTION CONTAINS A CALCULATED AREA OF 13,342 SQUARE FEET (0.3063 ACRES), MORE OR LESS.

PREPARED BY:
ALEXANDER AGUILAR, PLS 38858
FOR AND ON BEHALF OF MATRIX DESIGN GROUP, INC.
707 17TH STREET, SUITE 3150
DENVER, CO 80202
PHONE NO.: 303.572.0200





PREPARED BY:



SCALE: 1" = 80'

DRAWN BY: JHS

CHECKED BY: ALA

EXHIBIT A

ILLUSTRATION

DATE: 05/12/2025 SHEET 3 OF 3

FILE LOCATION: R:\19.817.004 (Broadway Station)\Survey\Dwg\Exhibits\ROW Vacation\817-BWS-DELAWARE ROW VACATION.dwg